



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

DONALD L. WOLFE, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

August 18, 2005

IN REPLY PLEASE
REFER TO FILE: **MP-2**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**1000 SOUTH FREMONT AVENUE
AGREEMENT - CITY OF ALHAMBRA
SUPERVISORIAL DISTRICT 5
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve the enclosed Agreement to Construct, Operate, and Maintain a Fiber Optic Conduit at 1000 South Fremont Avenue, Alhambra, between The Alhambra Urban Community, LLC, and the County of Los Angeles.
2. Instruct the Chair to sign the Agreement.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

This action will allow the County of Los Angeles to enter into an Agreement with The Alhambra Urban Community, LLC (The Alhambra Campus), to construct, operate, and maintain a fiber optic conduit over property located at 1000 South Fremont Avenue in the City of Alhambra.

On April 20, 2004, Synopsis 31, your Board entered into a Cooperative Agreement with the City of Alhambra for a project to synchronize traffic signals and install the entire conduit routing and pull boxes for a fiber optic conduit from Fremont Avenue to Public Works' Annex Building and to a steam tunnel located at 1000 South Fremont Avenue. The conduit located at 1000 South Fremont Avenue consists of four one-inch cells that will carry the fibers. Public Works and other County departments, who currently lease

office space from The Alhambra Campus, will utilize two cells in connection with the network connections between 1000 South Fremont Avenue and Public Works' Headquarters. The remaining cells will be utilized by The Alhambra Campus.

Implementation of Strategic Plan Goals

This action meets the County Strategic Plan Goal of Service Excellence. Installation of the fiber optic conduit will improve the communications network within Public Works and other County departments, thus benefiting the residents and improving their quality of life within the County.

FISCAL IMPACT/FINANCING

None.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The enclosed Agreement has been approved as to form by County Counsel.

ENVIRONMENTAL DOCUMENTATION

The California Environmental Quality Act (CEQA) requires public agency decision makers to document and consider the environmental implications of their actions.

On October 20, 1997, the City of Alhambra approved a Negative Declaration for the Fremont Avenue Improvement Project, and on January 8, 2002, your Board concurred with the findings of the Negative Declaration. The subject Project, Fremont Avenue from Ross Avenue to Montezuma Avenue, is adequately described by the Fremont Avenue Improvement Project Negative Declaration for the purposes of CEQA, and your Board's adoption of that Negative Declaration on January 8, 2002, satisfied its obligation under CEQA.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The proposed improvements are needed and are of general County interest.

The Honorable Board of Supervisors
August 18, 2005
Page 3

CONCLUSION

This action is in the County's best interest. Enclosed are three originals of the Agreement. Please have the originals signed by the Chair and acknowledged by the Executive Officer of the Board. Please return two executed originals to Public Works, retaining one original for your files.

One adopted copy of this letter is requested.

Respectfully submitted,

DONALD L. WOLFE
Director of Public Works

GYV:bw
D:399DFBROPTCNDUT

Enc.

cc: Auditor-Controller (Accounting Division - Asset Management)
Chief Administrative Office
County Counsel

**AGREEMENT TO CONSTRUCT, OPERATE, AND MAINTAIN A FIBER OPTIC
CONDUIT AT 1000 SOUTH FREMONT AVENUE, ALHAMBRA**

This Agreement is by and between the County of Los Angeles, a body corporate and politic, hereinafter referred to as "County" and The Alhambra Urban Community, LLC, a Delaware limited liability company, hereinafter referred to as "The Alhambra Campus", on this _____ day of _____ 2005.

WHEREAS, the City of Alhambra (City) is planning to widen and improve Fremont Avenue between Commonwealth and Montezuma Avenue; and

WHEREAS, part of the City's project includes the construction and installation of fiber optic Conduits; and

WHEREAS, the County leases from The Alhambra Campus office space, which is located at 1000 South Fremont Avenue; and

WHEREAS, the County requested the City, and the City agreed to install a four-inch (4") fiber optic Conduit (Conduit) at 1000 South Fremont Avenue, as shown on the Construction plans, hereinafter referred to as Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, The Alhambra Campus has reviewed and approved said Construction Plans; and

WHEREAS, The Alhambra Campus granted the City temporary permissive rights to enter and construct the Conduit; and

WHEREAS, the Conduit will contain four (4) one-(1) inch cells. The County will use two (2) cells (County Cells), to run fiber optic lines (Fibers), leaving the remaining cells for use by The Alhambra Campus.

NOW THEREFORE, in consideration of the covenants and conditions set forth herein, the County and The Alhambra Campus agreed as follows:

1. Construction of the Conduit will be at no cost to The Alhambra Campus. Any changes to the Construction Plans must be submitted to The Alhambra Campus management for review and approval.
2. The Alhambra Campus hereby grants the County permission to run Fibers through the Conduit and The Alhambra Campus utility tunnel. The Fibers will terminate at the Minimum Point of Entry (MPOE) in building A6, as shown on Exhibit "A".

3. The Alhambra Campus agrees to accept ownership, maintenance and repair responsibilities of the Conduit, which includes all four (4) cells at 1000 South Fremont Avenue after construction is completed by the City.
4. The Alhambra Campus grants the County permission to use the County Cells free of all charges (i.e., one-time connection and/or monthly usage or access fees).
5. During County's tenancy at 1000 South Fremont Avenue, the County agrees to maintain the fibers only within the County Cells.
6. The Alhambra Campus agrees to repair damages caused to the Conduit, County Cells, or Fibers not caused by County.
7. The Alhambra Campus agrees to commence repairs within forty-eight (48) hours of the receipt of notice that repairs are necessary. If The Alhambra Campus is unable to commence the repairs as set forth herein, the County has the option to make the necessary repairs itself, and The Alhambra Campus agrees to reimburse the County for all the expenses incurred.
8. The County agrees to indemnify The Alhambra Campus and bear all responsibilities for damages caused by the County, its agents, its employees, and or contractors to the Conduit, Cells, and Fibers.
9. Upon the County's termination of tenancy at 1000 South Fremont Avenue, the County shall remove all County's Fibers from County's cells and be relieved of all responsibilities.
10. The Los Angeles County Chief Administrative Officer or the Los Angeles County Director of Public Works, or their respective authorized designees may act on behalf of the Los Angeles County Board of Supervisors for the purpose of executing any modifications or amendments to this Agreement.

ACKNOWLEDGMENTS

IN WITNESS WHEREOF, the said COUNTY OF LOS ANGELES, a body corporate and politic, by order of its Board of Supervisors, has caused The County of Los Angeles to be subscribed by the Chair of the Board and the seal of said COUNTY to be affixed hereto and attested by its Executive Officer-Clerk and the Board of Supervisors, and The Alhambra Urban Community, LLC, has hereunto subscribed their names, the day, and year first above written

COUNTY OF LOS ANGELES,
a body corporate and politic

By _____
Chair, Board of Supervisors
of the County of Los Angeles

ATTEST:

VIOLET VARONA-LUKENS, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

By: _____

APPROVED AS TO FORM:
Office of the County Counsel

By: Framin E. Scott
Deputy

The Alhambra Urban Community, LLC,
a Delaware Limited Liability Company

By Karen Brock 1-11-05
Signature Date

Karen Brock 1-11-05
Print Name Date

Senior Property Manager
Title

ACKNOWLEDGMENT FORMSTATE OF CALIFORNIA }
COUNTY OF LOS ANGELES }

ss.

On _____, before me, _____,
the undersigned, personally appeared _____
(insert name and title)

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

(Signature)

(Name, Typed or Printed)

(Seal)

NOTARIES: ATTACH ADDITIONAL OR OTHER FORMS, IF REQUIRED

**ACKNOWLEDGMENT FORM
(FOR COUNTY USE ONLY)**STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES }

ss.

On January 13th, 2005, before me, CONNY B. McCORMACK, Registrar-Recorder/County Clerk of the County of Los Angeles, personally appeared Karen Brock

_____ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity on behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

CONNY B. McCORMACK, Registrar-Recorder/
County Clerk of the County of Los AngelesBy Isabella Velasquez
Deputy County Clerk

(Seal)

APPROVED as to title and execution,

_____, 20____
DEPARTMENT OF PUBLIC WORKS
Mapping & Property Management DivisionMARTIN J. YOUNG
Supervising Title Examiner III

By _____

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the within deed or grant is hereby accepted under the authority conferred by Ordinance No. 95-0052, duly and regularly adopted by the Board of Supervisors of the County of Los Angeles on the 26th day of September, 1995, and the Grantee consents to the recordation thereof by its duly authorized officer.

Dated _____

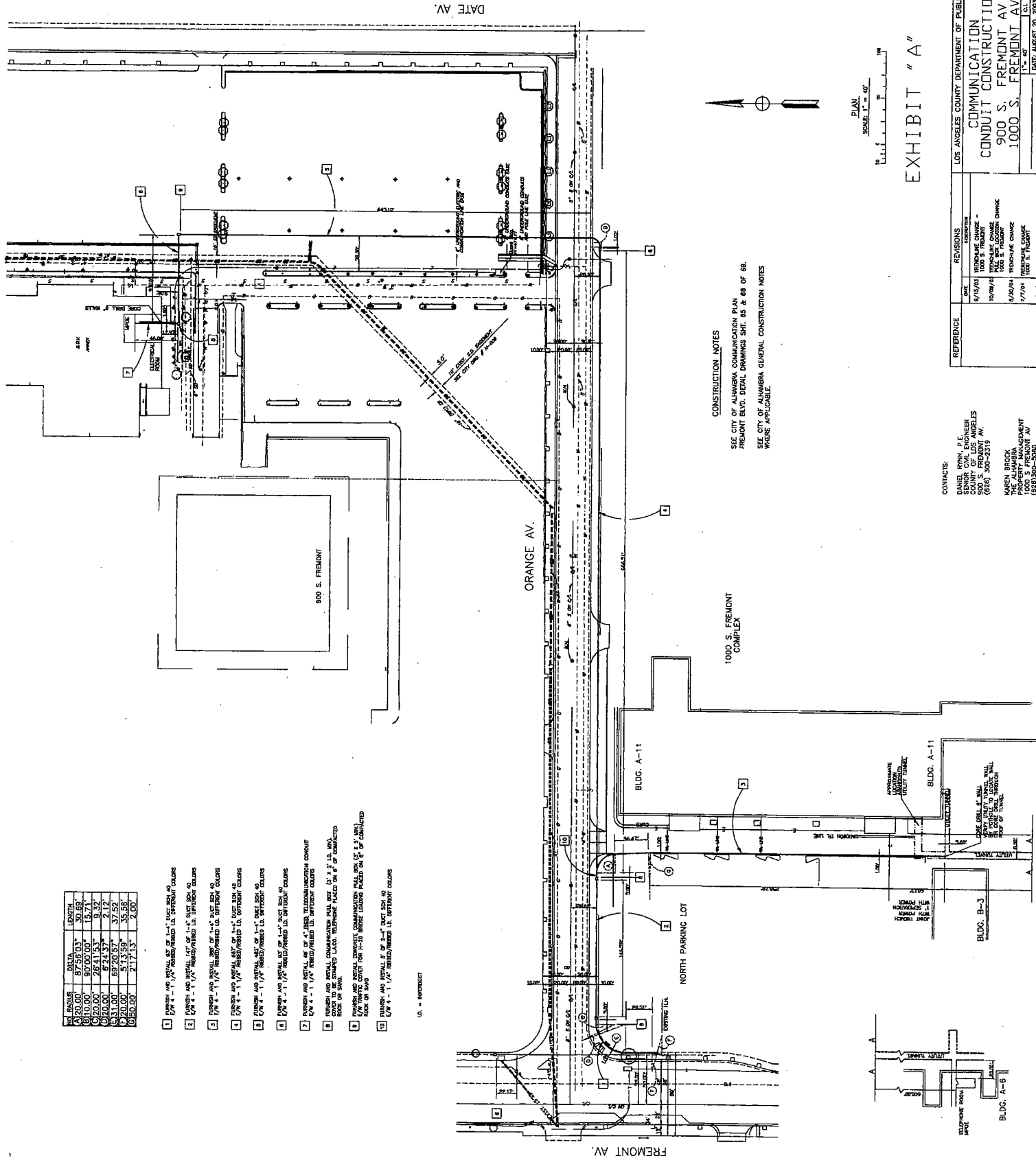
By _____

ASSISTANT DEPUTY DIRECTOR
Mapping & Property Management Division

NO.	ANALYSIS	DELTA	LENGTH
1	20.00'	87.58 0.3"	30.68'
2	10.00'	97.00 0.0"	15.71'
3	20.00'	87.58 0.3"	30.68'
4	20.00'	87.58 0.3"	30.68'
5	20.00'	87.58 0.3"	30.68'
6	20.00'	87.58 0.3"	30.68'
7	20.00'	87.58 0.3"	30.68'
8	20.00'	87.58 0.3"	30.68'
9	20.00'	87.58 0.3"	30.68'
10	20.00'	87.58 0.3"	30.68'
11	20.00'	87.58 0.3"	30.68'
12	20.00'	87.58 0.3"	30.68'
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16	20.00'	87.58 0.3"	30.68'
17	20.00'	87.58 0.3"	30.68'
18	20.00'	87.58 0.3"	30.68'
19	20.00'	87.58 0.3"	30.68'
20	20.00'	87.58 0.3"	30.68'

1. PAVEMENT AND METAL SET OF 1-1/4" DUCT BEND 40' L/20' 1-1/4" BEND/REBEND TO DIFFERENT COLORS
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19. PAVEMENT AND METAL SET OF 1-1/4" DUCT BEND 40' L/20' 1-1/4" BEND/REBEND TO DIFFERENT COLORS
20. PAVEMENT AND METAL SET OF 1-1/4" DUCT BEND 40' L/20' 1-1/4" BEND/REBEND TO DIFFERENT COLORS

1/2" = 1'0"



CONSTRUCTION NOTES
SEE CITY OF ALHAMBRA COMMUNICATION PLAN
FREMONT BAY: LOCAL DRAWINGS SH. 65 & 66 OF 68.
SEE CITY OF ALHAMBRA GENERAL CONSTRUCTION NOTES
WHERE APPLICABLE

PLAN
SCALE: 1" = 40'

EXHIBIT "A"

CONTRACTS:
DANIEL RYAN, P.E.
SENIOR CIVIL ENGINEER
800 S. FREMONT AV.
(800) 300-2319
KAREN BROCK
THE ALHAMBRA
1000 S. FREMONT AV.
(800) 300-5000

REFERENCE	REVISIONS	DATE
	1. INITIAL DESIGN - 1000 S. FREMONT	8/15/03
	2. REVISIONS TO 1000 S. FREMONT	10/09/03
	3. REVISIONS TO 1000 S. FREMONT	8/29/04
	4. REVISIONS TO 1000 S. FREMONT	7/7/04
	5. REVISIONS TO 1000 S. FREMONT	8/10/04

LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS
COMMUNICATION
CONDUIT CONSTRUCTION
900 S. FREMONT AV.
1000 S. FREMONT AV.
DATE: AUGUST 20, 2003